

Louisiana State Board of Examiners of Psychologists
BOARD MEETING MINUTES
April 7, 2017

Final Approved: May 12, 2017

The meeting of the Louisiana State Board of Examiners of Psychologists (Board) was noticed and agenda posted on, Wednesday, April 5, 2017. Dr. Darla Burnett, Chair, called the meeting to order at 8:39 a.m. on Friday, April 7, 2017 at 8706 Jefferson Highway, Suite B, Baton Rouge, LA 70809. Present were Board Members, Drs. Darla Burnett, Phillip Griffin, Koren Boggs, Jesse Lambert, Amy Henke; and, Executive Director, Jaime T. Monic.

Dr. Burnett opened the meeting by reading the Board's Declaration of Purpose.

Dr. Henke moved to approve the agenda for the day. The motion passed by unanimous roll call vote as follows: Burnett - YEA, Griffin - YEA, Boggs- YEA, Lambert – YEA, Henke - YEA.

The Board reviewed and discussed the meeting minutes from March 3, 2017. Dr. Lambert moved to approve the minutes of March 3, 2017 as discussed. The motion passed by unanimous roll call vote of the members present.

Dr. Griffin moved to enter Executive Session pursuant to LSA R.S.42:6.1, to conduct oral examinations and file reviews. The motion passed by unanimous roll call vote as follows: Burnett - YEA, Griffin - YEA, Boggs- YEA, Lambert – YEA, Henke - YEA.

Dr. Griffin moved to close executive session. The motion passed unanimously.

The Board opened the meeting to the public at 2:00 p.m. Dr. Kim VanGeffen, LPA Liaison to the LSBEP, Cindy Bishop, LPA Executive Director, and LSBEP Attorney Scott Kirkpatrick was present for the open meeting.

COMMITTEE REPORTS:

The Board received the following committee reports:

Executive Director Report – Ms. Monic reported on the following:

- Rules on Fees, Ethics and Supervision are on target for final publication in the June 20, 2017 register. The comments period ends on April 10, 2017. No comments have been received related to the proposed rules.
- LSSP Call for Nominations have been sent twice. Interest was received by one LSSP who has not yet met the requirement for number of years licensed. No other nomination has been received.
- Representatives from the National Register will be attending the May 12, 2017 Board Meeting.

Finance Committee Report

Dr. Burnett reported that she reviewed and approved Leave Reports for Ms. Monic.

Dr. Burnett reported that she reviewed and approved Bank Reconciliations prepared by Ms. Monic from February 2017.

Oral Examination Committee Report –Dr. Boggs reported the oral examinations of Susan E. Brown and Janina Mayeaux were postponed at the request of the candidate due to extenuating circumstances. Three Oral Examinations were conducted this day as follows:

Catherine L. Wise, Psy.D. appeared before the Board for an oral examination for licensure. Dr. Henke moved that the Board grant **Dr. Wise** a license to practice psychology with a declared specialty in Clinical Psychology. The Board discussed the motion. The motion passed by unanimous roll call vote as follows: Burnett - YEA, Griffin – YEA, Boggs - YEA, Lambert – YEA, Henke - YEA.

Tracy Carlson, Ph.D. appeared before the Board for an oral examination for licensure. Dr. Boggs moved that the Board grant **Dr. Carlson** a license to practice psychology with a declared specialty in Counseling Psychology. The Board discussed the motion. The motion passed by unanimous roll call vote as follows: Burnett - YEA, Griffin – YEA, Boggs - YEA, Lambert – YEA, Henke - YEA.

James P. Thompson, Ph.D. appeared before the Board for an oral examination for licensure. Dr. Griffin moved that the Board grant **Dr. Thompson** a license to practice psychology with a declared specialty in Clinical Psychology. The Board discussed the motion. The motion passed by unanimous roll call vote as follows: Burnett - YEA, Griffin – YEA, Boggs - YEA, Lambert – YEA, Henke - YEA.

Jurisprudence Examination Committee – The committee reported that a question had been raised about an item on the Jurisprudence Examination. Dr. Boggs requested that the item be sent to the Committee for review.

Liaison to Professional Organizations and Boards Report – No report.

Continuing Professional Development Committee – No report.

Supervision/Credentials Review - Dr. Burnett reported the results of the file reviews conducted this date in Executive Session as follows:

FILE REVIEWS [LSA-R.S. 42.6.1]:

Dr. Griffin reviewed and presented the Application for License of **Kendell G. Jasper, Ph.D.** to the Board with a motion to confirm his Candidacy status and invite him to take the Oral and Jurisprudence Examinations for Licensure. The Board discussed the motion. The motion passed unanimously.

Dr. Burnett reviewed and presented the Application for License of **Andrew J. Thrasher, Ph.D.** to the Board with a motion to confirm his Candidacy status and invite him to take the Oral and Jurisprudence Examinations for Licensure. The Board discussed the motion. The motion passed unanimously. Additionally, Dr. Thrasher was granted Temporary Registration (30-day practice) under the provisions for Military Temporary Registration.

Dr. Lambert reviewed and presented the Application for License of **Matthew Calamia, Ph.D.** to the Board with a motion to confirm his Candidacy status and invite him to take the Oral and Jurisprudence Examinations for Licensure. The Board discussed the motion. The motion passed unanimously.

Dr. Henke reviewed and presented the Application for License of **Joshua A. Looser, Ph.D.** to the Board with a motion to confirm his Candidacy status and invite him to take the Oral and Jurisprudence Examinations for Licensure. The Board discussed the motion. The motion passed unanimously.

Dr. Griffin reviewed and presented the Application for License via Reciprocity with Texas of **Bryce B. Summers, Ph.D.**, noting that Dr. Summers has not taken an Oral Examination for licensure Dr. Griffin moved to confirm his Candidacy status and invite her to take the Oral and Jurisprudence Examinations for Licensure. The Board discussed the motion. The motion passed unanimously.

Dr. Boggs reviewed and presented the Application for License via Reciprocity with Texas of **Alta Grace Jennings, Ph.D.**, Dr. Boggs moved to confirm the Candidacy status of **Dr. Jennings** and invite her to take the Jurisprudence Examination and to meet with the Board to review and verify satisfactory character, current fitness, plans to practice, and specialty declaration for Licensure. The Board discussed the motion. The motion passed unanimously.

Dr. Griffin reviewed and approved the Supervised Practice Plan for **Amy J. Mikolajewski, Ph.D., Corinne A. Schild, Psy.D., Brenda Patience-Gamez, Ph.D., and Arika D. Wadley, Psy.D.**

Dr. Griffin reviewed the Application for Provisional License of **Samantha L. Watson, Psy.D.**. Dr. Griffin moved that the Board confirm her Candidacy status and approve her Provisional License to Practice Psychology pending passing scores on the Jurisprudence Examination. The Board discussed the motion. The motion passed unanimously.

Dr. Lambert reviewed the Application for Provisional License of **John M Tracy, Ph.D.** Dr. Lambert moved that the Board confirm his Candidacy status and approve his Provisional License to Practice Psychology. The Board discussed the motion. The motion passed unanimously.

Complaints Committee: - The following cases were reviewed by the Board in executive session:

1. **P15-16-02C** – Dr. Sasha J. Lambert, LSBEP Complaints Coordinator appeared in person to present her final recommendation concerning this matter. Also present was the

Respondent and the Respondent's Attorney's E. Wade Shows and Carrie Thompson. The Board reviewed this matter and the recommendation of Dr. Lambert. After discussion, by motion of Dr. Griffin, the Board voted to close the matter without further action by roll call vote as follows: Burnett - YEA, Griffin - YEA, Boggs - YEA, Lambert - YEA, Henke - YEA.

2. **NP16-17-07C** – Dr. Burnett reported the subject of this complaint had complied with the Board's request to bring their website into compliance with the statutory requirements of the Board. After discussion, by motion of Dr. Griffin, the Board voted to close the matter without further action by roll call vote as follows: Burnett - YEA, Griffin - YEA, Boggs - YEA, Lambert - YEA, Henke - YEA.

3. **NP16-17-08C** - Dr. Burnett reported the subject of this complaint had complied with the Board's request to bring their website into compliance with the statutory requirements of the Board. After discussion, by motion of Dr. Griffin, the Board voted to close the matter without further action by roll call vote as follows: Burnett - YEA, Griffin - YEA, Boggs - YEA, Lambert - YEA, Henke - YEA.

4. **NP16-17-11C** - Dr. Burnett reported the status of this complaint to the Board. The non-psychologist was sent an initial notification, however had not adequately complied with the Board's request to bring the advertisement of their services on their website into compliance with the statutory requirements under the authority of the LSBEP. The investigation of this matter is ongoing.

Long Range Planning/Awards Committee: No report.

Legislative Oversight Committee Report – Dr. Burnett deferred her report for discussion.

LBAB Liaison – Dr. Griffin reported that he would be attending the next LBAB scheduled for Tuesday, April 11, 2017.

LSBEP Education & Outreach –Dr. Lambert reported that Frequently Asked Questions page concerning Continuing Professional Development had been published on the LSBEP Website.

DISCUSSION ITEM

Discussion with Dr. Kim VanGeffen, LPA Liaison, to discuss creation of a Taskforce on Complaint Investigations and Adjudications – Dr. VanGeffen requested that the Board consider creating a Taskforce on Complaint Investigations and Adjudications to study the Complaints Process, offer suggestions on improvement, defining “informal resolutions” if enacted by SB 38 of the 2017 Legislative Session, offer suggestions on educating psychologists, and solicit input from the community. Dr. Griffin moved in favor of creating the committee. Dr. Lambert volunteered to head the committee. Ms. Monic requested that information be put together with regard to specific committee members, meeting dates and objectives of the committee for formal approval at the next meeting.

2017-18 Contracts - The Board discussed contracts for Fiscal Year 2017-18. The following were approved:

Taylor, Porter, Brooks, and Phillips, LLC – Ms. Monic reported that there was currently \$6435. The board tabled a decision to amend the total amount of the contract at this time.

Breazeale, Sachse & Wilson, LLC – The Board tabled a decision to renew this contract. Ms. Monic was directed to investigate the availability and interest of prosecuting attorneys experienced in administrative law, whose rates are within the limits established by the Attorney General's office.

Sasha J. Lambert, Ph.D., Complaints Coordinator - Dr. Lambert moved that the contract with Sasha J. Lambert, Ph.D., for Complaints Coordinator be continued through fiscal year July 1, 2017 – June 30, 2018, not to exceed a maximum amount of \$12,000. That fee schedule should reflect the following: \$100 Upon completion of a review of a Request for Investigation with a recommendation to the LSBEP; \$100 Per hour for all meetings, including meetings with attorneys and preliminary hearings; Reimbursement of Mileage at the State Rate The motion passed unanimously.

Valerie Dominique, CPA - Dr. Griffin moved that the contract with Valerie Dominique, CPA, for professional accounting services be continued through fiscal year July 1, 2017 - June 30, 2018, not to exceed a maximum amount of \$4,999. That fee schedule should reflect the following: \$60 per hour for other accounting services, payable on a monthly basis and upon receipt of an itemized statement of services performed. The motion unanimously passed. The motion passed unanimously.

Sparkhound - Dr. Boggs moved that the contract for information technology services with Sparkhound be continued through fiscal year July 1, 2017 - June 30, 2018, not to exceed a maximum amount of \$4,000. That fee schedule should reflect funding for the following: \$105 per hour IT Support for renewal application, database support, and website hosting. The motion passed unanimously.

Louisiana Office of the Attorney General - Dr. Griffin moved that a contract with the Attorney General be requested for an Administrative Law Judge in Adjudications, in an amount not to exceed \$4,999. The motion passed unanimously.

Statewide Surveillance & Investigations - Dr. Lambert moved that the contract with Statewide Surveillance & Investigations be continued through fiscal year July 1, 2017 – June 30, 2018, in an amount not to exceed \$12,000. The fee schedule should reflect funding for the following \$60 per hour for investigative work; travel and lodging may be reimbursed, if pre-approved or preauthorized by the Executive Director, however reimbursement shall not exceed rates approved by the Office of State Purchasing & Travel.

License/Revenue Development – Inactive License Status - Ms. Monic discussed creating an Inactive License category in an effort to encourage psychologists who retire or move to maintain their license in an inactive status. Dr. Griffin was concerned that the Board could lose money creating an inactive license category. Dr. Griffin suggested additional study into the matter be conducted.

Renewal Forms 2017 - The Board reviewed and by motion of Dr. Boggs, approved renewal forms for 2017.

Inquiry from Michelle Moore RE Provisional Licenses and Defining Provisional License Scope and Limitations - The Board discussed the provisions of a provisional license and the requirement to be under the supervision and functional authority of a licensed psychologist. Currently, the provisions of supervision allow a licensed psychologist to bill for the services of a provisional licensed psychologist. The Board agreed to continue to study the development of a definition of the scope and limitations of a provisionally licensed psychologist.

Neuropsychology Proposed Rule Revisions – The Board reviewed and approved proposed revisions to the LAC 46:LXIII.Chapter 3 as follows (new language italicized and bold):
LAC 46:LXIII.305.A.2.1.:

“The internship experience (minimum 1,500 hours) was completed within 24 months. *A maximum of one year and 2000 hours of an acceptable internship under this Chapter may be applied toward the required two years and 4000 hours of postdoctoral supervised experience.*”

LAC 46:LXIII.307.B.5.:

“These regulations recognize the overlapping roles in certain aspects of clinical neuropsychological assessment and intervention of other professionals, such as behavioral neurologists, speech pathologists, and learning disability specialists, and are not meant to constrain or limit the practice of those individuals as affirmatively set forth in their relevant enabling statutes. *These regulations are not meant to constrain or limit the practice of licensed psychologists who through education, training, and experience have acquired competence in the use of psychological assessment instruments that measure various aspects of function to include but not limited to general intelligence, complex attention, executive function, learning and memory, language, perceptual motor, and social cognition.*”

LAC 46:LXIII.307.C.2.d:

“In addition to whatever remedial didactic training is necessary, the candidate for respecialization in clinical neuropsychology, will complete either a formal, ~~one~~ **two** year post-doctoral fellowship training program, or the equivalent of ~~one~~ **two** full years (~~2,000~~ **4,000** hours) of supervised experience in clinical neuropsychology as defined in LAC 46:LXIII.307.C.1.d.

LPA Convention (CE Activities and LSBEP Presentation) - The Board discussed their presentation to the Louisiana Psychological Association. The presentation was assigned as follows: Dr. Griffin - Complaints, Dr. Lambert - Continuing Education and Dr. Boggs - Laws, Rules, Opinions. Drs. Burnett and Henke will be present for Q&A.

ASPPB Request for Public Comment regarding ASPPB’s Model Act for the Licensure and Registration for Psychologists, Model Regulations and Code of Conduct (public comments deadline: May 8, 2017) – The Board opted not to provide comment or feedback to ASPPB concerning their proposed model act, registration, regulations or code of conduct.

2017 Regular Legislative Session LSBEP – This item was taken out of order, as the first discussion item, to accommodate guests, Cindy Bishop, Kim VanGeffen and Scott Kirkpatrick. The Board reviewed and discussed the following:

HB 159 D.MILLER	HB 281 NORTON	HB 338 POPE
HB 341 D. MILLER	SB 39 BOUDREAUX	SB 42 JOHNS
SB 55 MILLS	SB109 CLAITOR	SB 216 TARVER
SB 185 LUNEAU	SB 91 PETERSON	SB 152 CARTER
HB 31 HOFFMAN	HB 414 LEGER	HB 307 LYONS

The Board discussed in detail SB 38 MORRELL related to Licensed Professional Counselors (LPC) and the proposed legislation to remove the definition of major mental illness including schizophrenia or schizoaffective disorder, bipolar disorder, panic disorder, obsessive-compulsive disorder, major depressive disorder – moderate to severe, anorexia, bulimia, intermittent explosive disorder, autism, psychosis NOS (not otherwise specified) when diagnosed in a child under seventeen years of age, Rett’s disorder, Tourette’s disorder, and dementia; and remove the language to collaborate with a psychiatric nurse practitioner or a physician. Further, concerns were discussed on how the legislation could be interpreted to enable counselors the ability to administer and interpret psychological tests. The Board agreed that these revisions impact the health, safety and welfare of the public. The Board agreed to monitor this legislation and follow its attorney’s advice on bringing its concerns to the legislature.

The Board discussed in detail SB 75 MILLS relative to health professional licensing boards. Concerns were raised regarding the voting authority of the proposed new public member seat; the ambiguity of the new adjudicatory process; the removal of the board’s judicial deference; the expenses imposed on boards to implement this process; the ability of the board to maintain autonomy to manage funds, and the ability to comply with the added provisions without the ability to increase fees; the adjudicatory processes; and other concerns. The Board agreed to monitor this legislation and follow its attorney’s advice on bringing its concerns to the legislature.

The Board discussed in detail SB 205 MORRELL related to boards and commissions and disciplinary adjudications and its similarities and differences in comparison to SB 75. The Board agreed to monitor this legislation and follow its attorney’s advice on bringing its concerns to the legislature.

The Board discussed in detail SB 216 TARVER which provides for physician assistants executing emergency certificates relative to alleged mental illness or substance abuse. The

Board agreed to monitor this legislation and follow its attorney's advice on bringing its concerns to the legislature.

The Board discussed in detail SB 37 MARTINI related to amendments to the licensing law for Psychologists. The Board heard and discussed the concerns of the Louisiana Psychological Association (LPA). The Board discussed proposed amendments to which LPA might be agreeable which included:

1. Add back Chapter 1-A as prescription guidelines.
2. Cap the reimbursement of fees for informal resolutions not to exceed \$10,000; and engage in rule-making to define parameters within which an individual may enter into a consent agreement (90 days after the offer, for example) to avoid running up costs on either the Board or the Psychologist. Which in turn would trigger another prescription to set a date for hearing.
3. Define "Other informal resolution" in rule-making to include non-reportable admonishments, that do not result in findings or disciplinary actions.
4. Eliminate "Stenographer" and "witness fees" from expenses that could be recouped under Informal Resolution.
5. Change the amount of time required to repay the board for informal resolution fees from 30 days to 60 or 90 days.

By motion of Dr. Lambert, the Board agreed to return to Executive Session to discuss the impact of these amendments with Attorney Kirkpatrick. The motion passed by unanimous roll call vote as follows: Burnett - YEA, Griffin - YEA, Boggs - YEA, Lambert - YEA, Henke - YEA.

By motion of Dr. Lambert, the Board returned to its open meeting, Dr. Burnett explained that the Board had no concerns with LPA's requests, that the requests would not prohibit the primary objectives of the proposed amendments. The Board agreed to await LPA's position on the changes before offering a final position on the amendments.

Dr. Henke moved to adjourn the meeting at 5:00 p.m. The motion passed unanimously.